

**UNITED STATES DISTRICT COURT
FOR THE Northern District of Illinois – CM/ECF LIVE, Ver 6.3.3
Eastern Division**

City of Melbourne Firefighters Retirement
System

Plaintiff,

v.

Case No.: 1:21-cv-05345
Honorable Edmond E. Chang

ATI Physical Therapy, Inc., et al.

Defendant.

NOTIFICATION OF DOCKET ENTRY

This docket entry was made by the Clerk on Thursday, November 18, 2021:

MINUTE entry before the Honorable Edmond E. Chang: This entry is being posted in both Case No. 1:21-cv-04349 (Burbige) and Case No. 1:21-cv-05345 (Melbourne). The motion 22 of Movant Phoenix Insurance Company Ltd. and The Phoenix Pension & Provident Funds to consolidate the cases is granted in light of the overlap of the factual and legal issues presented by the two cases. Also, Phoenix Insurance and Phoenix Pension are together deemed the Lead Plaintiffs given their financial interest, which exceeds that of any other proposed lead plaintiff. 15 U.S.C. 78u-4(a)(3)(B)(iii). Phoenix Insurance and Phoenix Pension also otherwise satisfy the requirements of Civil Rule 23 as applicable at this point. Their choice of experienced lead counsel, Pomerantz LLP, is also approved. Accordingly, 1:21-cv-05345 is consolidated into 1:21-cv-04349; Phoenix Insurance and Phoenix Pension are deemed the Lead Plaintiffs; and Pomerantz LLP is deemed the Lead Counsel. All of the prior competing motions are denied. The Lead Plaintiffs shall confer with the Defendants and file the joint initial status report by 12/06/2021. The report shall propose a deadline for the filing of a Consolidated Amended Complaint and a response schedule. All filings shall be posted only on the Burbige docket (1:21-cv-04349), and the Melbourne case docket is terminated without prejudice to the claims in that case (which will be superseded by the Consolidated Amended Complaint). The tracking status hearing of 11/19/2021 is reset to 12/10/2021 at 8:30 a.m., but to track the case only (no appearance is required, the case will not be called). Instead, the Court will review the status report and set the schedule. Civil case terminated. Emailed notice (mw,)

ATTENTION: This notice is being sent pursuant to Rule 77(d) of the Federal Rules of Civil Procedure or Rule 49(c) of the Federal Rules of Criminal Procedure. It was generated by CM/ECF, the automated docketing system used to maintain the civil and criminal dockets of this District. If a minute order or other document is enclosed, please refer to it for additional information.

For scheduled events, motion practices, recent opinions and other information, visit our web site at ***www.ilnd.uscourts.gov***.